

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:16CR00481 RLW
)	
DANIEL M. STIMMEL,)	
)	
Defendants.)	

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that the foregoing action has been commenced and is now pending in the United States District Court for the Eastern District of Missouri between the party named above. The property whose title is at issue in that action is located at 8555 Rausch Drive, Unit 203, Plain City, Ohio 43064 further described as:

Real Property known as 8555 Rausch Drive, Unit 203, Plain City, Ohio 43064, Executive Storage Estates Condo, Estates Phase 3B, Unit 203, Lot 17, Parcel #201407150004717, Union County, Ohio, together with all appurtenance, improvements, and attachments thereon, and bearing a legal description as Real estate situated in the State of Ohio, County of Union, Township of Jerome, VMS 7073 and described as follows: Executive Storage Estates Condominium, Unit #203 a Condominium in Jerome Township, Union County, Ohio, according to the Declaration of Condominium Ownership, its Bylaws and Drawings, filed for record in the Office of the County Recorder, Union County, Ohio in Official Record 873, Page 560 and in Book 5, of Plats, Page 280 and 280A and together with supplements/amendments recorded in OR 931, Page 978, amended plat recorded in Book 5, Page 291, Side 143A, OR 971, Page 711, OR 971, Page 725, and amended plat recorded in Plat Book 5, Page 299 A, B, Union County Records. Also second amendment recorded in OR 1025, Page 461 and amended plat recorded in Plat Book 5, Page 312 A, B, Union County Records. Also third amendment recorded as Instrument number 201309040001233 and amended plat recorded in Plat book 5, Page 318 A, B Instrument number 201309040001234.

Together with the assigned percentage of undivided interest in the common elements as assigned to the above unit as stated in the declaration or thereafter reallocated due do

expansion as provided in the Declaration.

Together with an easement for support and for the continuance of all encroachments by the unit or any other unit or common elements, now existing as a result of construction of the building or that may occur hereafter as a result of settling or shifting of the building or as a result of repair or restoration of the building or of the unit or of the limited common elements after damage or destruction by fire or other casualty or after taking in condemnation or eminent domain proceedings; or by reason of an alteration or repair of the common elements or limited common elements made by or with the consent of the board of directors or by the unit owners association in accordance with the Declaration and the bylaws, so that any such encroachment may remain so long as the building shall stand;

Together with an easement in common with the owners of other units to use, maintain, alter, repair, and replace any pipes, wires, ducts, vents, cables, conduits, public utility lines and other common elements located in any other units or elsewhere on the property and serving the unit. Together with the appearance and all the estate and rights of the grantor in and out to the unit. Together with and subject to an easement of necessity in favor of the unit or in favor of other units or the common elements;

Together with and subject to an easement in common with all other units to install, operate, maintain, repair, alter, rebuild, restore, and replace the limited common elements and any pipes, wires, ducts, vents, cables, conduits, or other lines, equipment, or facilities forming a part of or related to such limited common areas and facilities, located in, over, through, under or upon the unit, other units, common elements, limited common elements, or other parts of the property.

Provided that access to any unit or the common elements or the limited common elements in furtherance of such easements shall be exercised in such a manner as will not unreasonably interfere with the normal conduct of business of the tenants and occupants;

Subject to easements in favor of other units and in favor of the common elements and limited common elements for the continuance of all encroachments of such other units or common elements or limited common elements on the unit, now or hereafter existing as a result of construction of the building, or the settling or shifting of the building, or the repair or restoration of the building or any other unit or common elements or limited common elements after damage or destruction by fire or other casualty or after taking in condemnation or eminent domain proceedings; or by reason of an alteration or repair to the common elements or limited common elements or made by or with consent of the board of directors in accordance with the Declaration or bylaws so that any such encroachment may remain so long as the building shall stand;

Subject to the provisions of the Declaration, bylaws, drawings, and rules and regulations, as they may be amended from time to time, and all easements and restrictions created by such documents, subject to restrictions, reservations, limitations, easements and conditions of record and subject to taxes and assessments, both general and special, which are a lien but not yet due and payable. All of which shall constitute covenants running with the land and shall bind any person having at any time any interest or estate in the unit, as though such provisions were recited and stipulated at length herein.

The action, which is a criminal action against defendant Daniel M. Stimmel, seeks that any right, title, and interest in the property at issue be condemned and forfeited to the United States of America and as such is an action affecting the title to said property.

For further information concerning this proceeding, reference may be had to the records of the Clerk of the United States District Court for the Eastern District of Missouri, Eastern Division, St. Louis, Missouri.

Dated: November 3, 2016

Respectfully submitted,

RICHARD G. CALLAHAN
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